



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**NOTICE OF APPEAL FROM THE EXAMINER  
TO THE BOARD OF APPEALS**

*AF*  
*1731*

Applicant(s): Kolberg et al.  
Serial No.: 09/830,029  
Filed: July 25, 2001  
For: Device for Melting or Refining Glasses or Glass Ceramics  
Examiner: Mark Halpern  
Art Unit: 1731  
Confirmation No.: 9397  
Customer No.: 27623 Attorney Docket: 608.0010USU

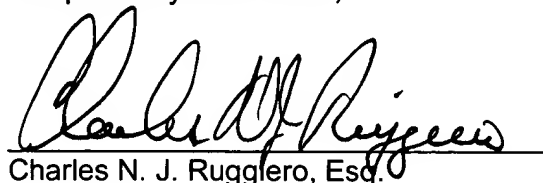
Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated May 6, 2004, rejecting claims 7 through 23.

The total petition fee for this Notice of Appeal is calculated to be \$330.00 and our check that includes this fee is enclosed.

Respectfully submitted,

  
Charles N. J. Ruggiero, Esq.

Attorney for Applicant(s)  
Registration No. 28,468  
Ohlandt, Greeley, Ruggiero & Perle, L.L.P.  
One Landmark Square, 10th Floor  
Stamford, CT 06901-2682  
Telephone: (203) 327-4500  
Telefax: (203) 327-6401

August 4, 2004  
Date

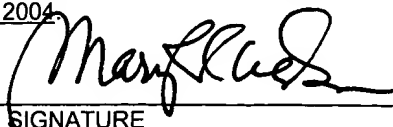
08/09/2004 HALI11 00000061 09830029

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**CERTIFICATE OF MAILING**

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE U.S. POSTAL SERVICE AS FIRST CLASS MAIL, IN AN ENVELOPE ADDRESSED TO: MAIL STOP AF, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-, ON AUGUST 4, 2004.

Mary R. Charles  
NAME

  
SIGNATURE

8/4/04  
DATE



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**MAIL STOP AF  
COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450**

Dear Sir:

**AMENDMENT TRANSMITTAL**

We are enclosing an Amendment in the above-identified application.

Petition for extension of time pursuant to 37 C.F.R. §§ 1.136 and 1.137 is hereby made if, and to the extent, required. The fee for this extension of time is calculated to be \$\_\_\_\_\_ to extend the time for filing this response until \_\_\_\_\_.

The fee for any change in number of claims has been calculated as shown below.

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest Number Previously Paid	Present Extra	Rate	
Total Claims	13	Minus	20	0	x \$18.00	\$
Independent Claims	2	Minus	3	0	x \$86.00	\$
MULTIPLE DEPENDENT CLAIM FEE				x \$290.00 = \$		
TOTAL FEE FOR CLAIM CHANGES				\$0		
1/2 FILING FEE FOR SMALL ENTITY				\$N/A		

The total fee for this amendment, including claim changes (\$0), any extension of time (\$0), Terminal Disclaimer (\$110), and Notice of Appeal (\$330) is calculated to be \$440.00.

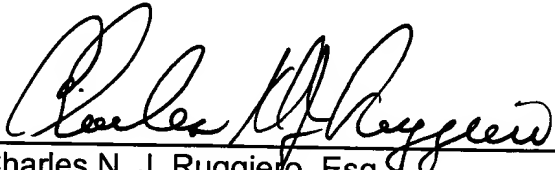
X The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. §§1.16 and 1.17 which may be required with this communication or during the entire pendency of the application, or credit any overpayment, to **Deposit Account No. 01-0467**. A duplicate copy of this Form is enclosed.

X A Terminal Disclaimer under 37 C.F.R. 1.20(d) is enclosed;

X A Notice of Appeal is enclosed;

August 4, 2004

Date



Charles N. J. Ruggiero, Esq.

Attorney for Applicant(s)

Registration No. 28,468

Ohlandt, Greeley, Ruggiero & Perle, L.L.P.

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For: DEVICE FOR MELTING OR REFINING GLASSES OR  
GLASS CERAMICS  
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Examiner: Mark Halpern  
Art Unit: 1731  
Customer No.: 27,623  
Confirmation No.: 9397

Attorney Docket: 608.0010USU

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT**

Dear Sir:

In response to the outstanding Office Action dated May 6, 2004, Applicants respond as follows:

**Listing of the Claims** begins on page 2 of this paper.

**Remarks** begin on page 5 of this paper.